

2131 2734

**TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT**  
**(Under 37 CFR 1.97(b) or 1.97(c))**

Docket No.  
13613

In Re Application Of: Yutaka Yokyama, et al.

#10  
Rose  
2-27-03

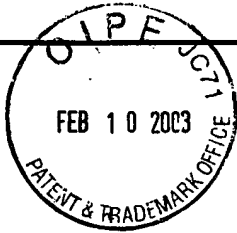
Serial No.  
09/574,411

Filing Date  
May 18, 2000

Examiner  
Unassigned

Group Art Unit  
2734

Title: VIDEO CODING BY ADAPTIVELY CONTROLLING THE INTERVAL BETWEEN SUCCESSIVE  
PREDICTIVE-CODED FRAMES ACCORDING TO MAGNITUDE OF MOTION



Address to:  
Assistant Commissioner for Patents  
Washington, D.C. 20231

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**37 CFR 1.97(b)**

1. ☒ The Information Disclosure Statement submitted herewith is being filed within three months of the filing of a national application other than a continued prosecution application under 37 CFR 1.53(d); within three months of the date of entry of the national stage as set forth in 37 CFR 1.491 in an international application; before the mailing of a first Office Action on the merits, or before the mailing of a first Office Action after the filing of a request for continued examination under 37 CFR 1.114.

**37 CFR 1.97(c)**

2. ☐ The Information Disclosure Statement submitted herewith is being filed after the period specified in 37 CFR 1.97(b), provided that the Information Disclosure Statement is filed before the mailing date of a Final Action under 37 CFR 1.113, a Notice of Allowance under 37 CFR 1.311, or an Action that otherwise closes prosecution in the application, and is accompanied by one of:

☐ the statement specified in 37 CFR 1.97(e);

OR

☐ the fee set forth in 37 CFR 1.17(p).

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**TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT**  
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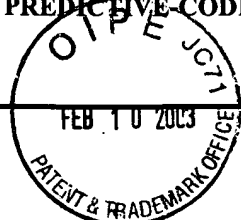
Examiner  
Unassigned

Group Art Unit  
2734

**VIDEO CODING BY ADAPTIVELY CONTROLLING THE INTERVAL BETWEEN SUCCESSIVE  
PREDICTIVE-CODED FRAMES ACCORDING TO MAGNITUDE OF MOTION**

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**Payment of Fee**

(Only complete if Applicant elects to pay the fee set forth in 37 CFR 1.17(p))

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- ☐ A check in the amount of \_\_\_\_\_ is attached.
- ☒ The Assistant Commissioner is hereby authorized to charge and credit Deposit Account No. 19-1013/SSMP as described below. A duplicate copy of this sheet is enclosed.
- ☐ Charge the amount of \_\_\_\_\_
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Washington, D.C. 20231.

\_\_\_\_\_  
Signature of Person Mailing Correspondence

Michelle Mustafa

\_\_\_\_\_  
Typed or Printed Name of Person Mailing Certificate

\*This certificate may only be used if paying by deposit account.

Dated: February 6, 2003

\_\_\_\_\_  
Signature

Paul J. Esatto, Jr., Reg. No. 30,749  
SCULLY, SCOTT, MURPHY & PRESSER  
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Garden City, New York 11530  
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**PATENT**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

<b>Applicant:</b>	<b>Yutaka Yokoyama, et al.</b>	<b>Examiner:</b>	<b>Unassigned</b>
<b>Serial No.:</b>	<b>09/574,411</b>	<b>Group Art Unit:</b>	<b>2734</b>
<b>Filed:</b>	<b>May 18, 2000</b>	<b>Docket:</b>	<b>13613</b>
<b>For:</b>	<b>VIDEO CODING BY ADAPTIVELY CONTROLLING THE INTERVAL BETWEEN SUCCESSIVE PREDICTIVE- CODED FRAMES ACCORDIN TO MAGNITUDE OF MOTION</b>	<b>Dated:</b>	<b>February 6, 2003</b>

Assistant Commissioner for Patents  
Washington, D.C. 20231

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**INFORMATION DISCLOSURE STATEMENT**

Sir:

In accordance with 37 C.F.R. §§1.97 and 1.98, it is requested that the following references, which are also listed on the attached Form PTO-1449, be made of record in the above-identified case.

1. Japanese Laid-Open Patent Application No. 8-46969, dated February 16, 1996;
2. Japanese Laid-Open Patent Application No. 6-165103, dated June 10, 1994;
3. Japanese Laid-Open Patent Application No. 10-304374, dated November 13, 1998;  
and
4. Japanese Laid-Open Patent Application No. 9-509024, dated September 9, 1997.

**CERTIFICATE OF MAILING UNDER 37 C.F.R. § 1.8(a)**

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, DC 20231 on February 6, 2003.

Dated: February 6, 2003

  
Michelle Mustafa

The references were cited in an Office Action dated November 26, 2002, received from the Japanese Patent Office. Applicants are submitting copies of the above-cited references, together with a translation of the Examiner's comments regarding the references from the Official Action. The relevance of the references is described in the Official Action.

In compliance with the requirements of 37 C.F.R. §1.98(a)(3), as a concise statement of relevance, as it is presently understood by the individual designated in 37 C.F.R. §1.56(c) most knowledgeable about the content of the information, the undersigned attorney of record submits a translation of portions of an official action by a foreign examiner in which the references were cited. The relevance to the pending U.S. patent application is that the references were cited in a foreign patent application on the same subject matter. However, no independent analysis of the references, the accuracy of the statement of the foreign examiner or the claims of the foreign application under the laws of that country or the United States relative to the subject matter claimed in the present application has been made; the present understanding of the contents thereof by the undersigned being based on the translation of the foreign examiner's comments submitted herewith.

Inasmuch as this Information Disclosure Statement is being submitted in accordance with the schedule set out in 37 C.F.R. § 1.97(b), no statement or fee is required.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'P. Esatto, Jr.', written in a cursive style.

Paul J. Esatto, Jr.  
Registration No. 30,749

Scully, Scott, Murphy & Presser  
400 Garden City Plaza  
Garden City, New York 11530  
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PJE:bb

整理番号 33509550

発送番号 391728

発送日 平成14年11月26日 1 / 3

## 拒絶理由通知書

特許出願の番号	平成11年 特許願 第137889号
起案日	平成14年11月19日
特許庁審査官	國分 直樹 3241 5P00
特許出願人代理人	丸山 隆夫 様
適用条文	第29条第2項、第36条

この出願は、次の理由によって拒絶をすべきものである。これについて意見があれば、この通知書の発送の日から60日以内に意見書を提出して下さい。

## 理 由

1. この出願の下記の請求項に係る発明は、その出願前日本国内又は外国において頒布された下記の刊行物に記載された発明に基いて、その出願前にその発明の属する技術の分野における通常の知識を有する者が容易に発明をすることができたものであるから、特許法第29条第2項の規定により特許を受けることができない。

## 記 (引用文献等については引用文献等一覧参照)

## [1]

請求項：1、3、9、13、15、21

引用文献：1

備考：

引用文献1には、動きが遅い場合にはPピクチャ間の距離を小さくし、動きが速い場合にはPピクチャ間の距離を大きくすることが記載されている（特に、【0037】、【0041】段落、及び、図3参照）。

## [2]

請求項：2、4～6、10～12、14、16～18、22～24

引用文献：1及び2

備考：

引用文献2には、1フレーム分の動きベクトルの平均値を求め、該平均値を予め設定しておいた値と比較することによって、フレームの動きの大きさを判定することが記載されている（特に、【0025】～【0028】、【0039】段落参照）。

そして、上記動きベクトルの平均値を上記予め設定しておいた値と比較する際

にどのような手法を用いるかは設計的事項であるため、該動きベクトルの水平成分と垂直成分に対して別々に値を設定しておき、該動きベクトルの水平成分と垂直成分それぞれの絶対値を、それぞれ該別々に設定された値と比較するようにすることには、当業者にとって格別の困難性は認められない。

#### 引用文献等一覧

1. 特開平8-46969号公報
2. 特開平6-165103号公報

2. この出願は、特許請求の範囲の記載が下記の点で、特許法第36条第6項第2号に規定する要件を満たしていない。

#### 記

(1) 請求項5～7には、「前記平均ベクトル」と記載されており、当該各請求項は請求項3を引用しているが、請求項3及びその引用する請求項1には「平均ベクトル」なる記載はない。

また、請求項5～7は請求項4を引用しているが、請求項4及びその引用する請求項2にも「平均ベクトル」なる記載はない。もし、上記「前記平均ベクトル」が請求項2に記載された「動きベクトルの平均値」を表すのであれば、用語は統一されたい。

そして、上記の2点については、請求項11、12、17～19、23、24についても同様である。

(2) 請求項5、7、17、19には、「充分小さな場合」と記載されているが、該記載ではその程度が不明確であるため、どのような場合に静止していると判定するのかが不明確である。

また、請求項11、23の「充分大きな場合」という記載についても同様である。

よって、請求項5～8、11、12、17～20、23、24に係る発明は明確でない。

発送番号 391728

発送日 平成14年11月26日 3 / 3

- ・調査した分野 IPC第7版 H04N 7/24-7/68
- ・先行技術文献 特開平10-304374号公報  
特表平9-509024号公報

この先行技術文献調査結果の記録は、拒絶理由を構成するものではない。

この拒絶理由通知の内容に関するお問い合わせ、または面接のご希望がございましたら下記までご連絡下さい。

特許審査第四部 映像機器（テレビジョン） 坂東 大五郎

TEL. 03 (3581) 1101 内線 3581

FAX. 03 (3501) 0715





Docket No. 13613

UNITED STATES PATENT AND TRADEMARK OFFICE

VERIFICATION OF A TRANSLATION

I, the below named translator, hereby declare that:

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My name and post office address are as stated below;

That I am knowledgeable in the English language and in the Japanese language, and that I believe the English translation of the marked portion of the attached Japanese document is true and complete.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Date: December 20, 2002

Full name of the translator: Sandra Jayne PARSONS

Signature of translator :

For and on behalf of RWS Group plc

Post Office Address : Europa House, Marsham Way,  
Gerrards Cross, Buckinghamshire,  
England.

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Notes (see list of cited documents, etc.)

[1]

Claims: 1, 3, 9, 13, 15, 21

Cited document: 1

Remarks:

Cited document 1 discloses decreasing the distance between P picture when the movement is slow, and increasing the distance between P picture when the movement is fast (see paragraphs [0037] and [0041] and figure 3, in particular).

[2]

Claims: 2, 4 to 6, 10 to 12, 14, 16 to 18, 22 to 24

Cited documents: 1 and 2

Remarks:

Cited document 2 discloses determining the size of the frame movement by finding the average value of the movement vector for 1 frame, and comparing said average value with a pre-established value (see paragraphs [0025] to [0028] and [0039], in particular).

Then, because deciding which method to employ when comparing the abovementioned average value of the movement vector and the abovementioned pre-established value is a matter of design, no particular difficulty for those skilled in the art can be recognized in establishing separate values for the horizontal component and the vertical component of said movement

vector, and comparing the respective absolute values for said horizontal component and vertical component of the movement vector with said respective separately established values.

List of cited documents, etc.

1. Japanese laid-open patent application H8-46969
2. Japanese laid-open patent application H6-165103

- Field searched                      IPC 7              H04N 7/24-7/68
- Prior art documents  
    Japanese laid-open patent application H10-304374  
    PCT (WO) 1997-509024

This record of the results of the prior art document search is not a component of the reasons for refusal.